

# **EXHIBIT 9**

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE: REFRIGERANT COMPRESSORS  
ANTITRUST LITIGATION

MDL No. 2:09-md-02042-SFC

This document Relates to  
ALL DIRECT PURCHASER ACTIONS

HONORABLE SEAN F. COX  
UNITED STATES DISTRICT JUDGE

**DECLARATION OF LORI L. CASTANEDA REGARDING THE REFRIGERANT  
COMPRESSORS ANTITRUST LITIGATION DISTRIBUTION**

I, Lori L. Castaneda, hereby declare as follows:

1. I am a Vice President of Garden City Group, LLC (“GCG”). The following statements are based on my personal knowledge and information provided by other experienced GCG employees working under my supervision, and, if called on to do so, I could and would testify competently thereto.

2. GCG is serving in this matter as the Claims Administrator assisting with various tasks, including: disseminating Notices and claims forms; publishing Summary Notices; receiving and processing claims and requests for exclusion; responding to Class Member inquiries; establishing and maintaining a settlement website; and performing such other duties as may be directed by the Court or the Parties including distribution of Settlement Funds.

3. This Declaration discusses the administrative work that GCG has performed and the determinations made with respect to the processing of claims filed in connection with the

Refrigerant Compressors Antitrust Litigation (“Settlements”) by Plaintiffs with the following Defendants: (1) Tecumseh Products Company, Tecumseh Compressor Company, Tecumseh do Brasil, Ltda and their subsidiaries and affiliates (“Tecumseh Defendants”); (2) Embraco North America, Inc. and Whirlpool S.A. (“Embraco Defendants”); (3) Danfoss Flensburg GmbH, formerly Danfoss Compressors GmbH (“Danfoss Flensburg”), and; (4) Panasonic Corporation and Panasonic Corporation of North America (“Panasonic Defendants”).

#### **CLAIMS ADMINISTRATION**

4. Claims Received. GCG received and reviewed claims for validity and inclusion in the Settlements. The postmark deadline for Class Members to file claims was June 9, 2014. To make a claim, Class Members were required to complete the approved Claim Form. GCG received a total of 164 timely Claim Forms and eight (8) late Claim Forms, for a total of 172 claims received. GCG reviewed claims for completeness, identification of duplicative claims, timeliness, fraud, and, where high values were claimed whether the claim could be supported by documentation and defendant data.

5. Duplicate Claims. During the claims administration process, some claims were identified to be duplicative, meaning they were submitted for the same entity and same value. In total, four (4) claims were identified as such and were removed from further review and processing, leaving 168 unique claims.

6. Late Claims. As stated above, eight (8) claims were received after the postmark deadline. None of these claims were received so late as to interfere with the claims administration process. However, after the claims review process described below, it was determined that only four (4) of the late claims were valid claims. GCG has included these remaining four late claims in the group of claims discussed below and in the calculation of award

1 amounts. If approved by the Court, they will be included in the distribution of award payments.

2 7. Claim Review, Deficiency, and Audit Process. The Claim Form required each  
3 claimant to provide the U.S. Dollar amount of Compressor purchases in the United States from  
4 one or more Defendants during the Class Period. GCG reviewed all Claim Forms for  
5 completeness and collected the information provided, including any supporting documentation  
6 submitted, in GCG's proprietary database. GCG also audited all claims received and compared  
7 the stated purchase amounts against purchase data provided to GCG by the Defendants. Through  
8 the review process, GCG identified claims where further information was needed to verify the  
9 claim and claims that were deficient due to a failure to provide required information.  
10 Deficiencies included:

- 11 • Failure to provide purchase amount(s);
- 12 • provided amounts that did not correspond to the amounts contained in Defendants'
- 13 data;
- 14 • name not found in defendant data as purchaser.

15 GCG mailed or otherwise communicated to Class Members identified deficiencies and  
16 discrepancies with Defendants' data and provided opportunities to cure said deficiencies and  
17 provide further data. A total of 136 of 168 claims submitted information that did not align with  
18 Defendants' data or were deemed deficient. These claimants were sent a letter requesting further  
19 information to correct the deficiency or validate their claim. As necessary, after receiving any  
20 written responses, GCG engaged in additional follow-up discussions with claimants via  
21 telephone and email concerning their responses and the supporting documentation provided.  
22 After GCG reviewed all responses and documentation, 85 of the 136 claims remained deficient,  
23 were withdrawn, or did not pass the audit review. All of the claims that did not pass the review  
24

process ultimately revealed themselves to not be eligible for one or more of the following reasons:

- The compressors were not purchased in U.S. Dollars or were purchased outside of the United States;
- the compressors purchased were greater than one horsepower;
- the compressors were not purchased during the class period;
- the compressors were not purchased individually, but were purchased as components of integrated products, such as condensing units or refrigeration decks;
- the compressors were not purchased directly from one of the Defendants.

8. Eligible Claims. After GCG's review of all claims, the total number of claims eligible for payment in the Settlements is 83.

9. Settlement Funds. Based on the escrow statements provided to GCG, a total of \$21,112,110.52 in settlement funds are available from the Settling Defendants as detailed below;

- Tecumseh Defendants: \$4,996,033.76;
- Embraco Defendants: \$8,255,533.99;
- Danfoss Flensburg: \$2,413,366.34; and
- Panasonic Defendants: \$5,447,176.43.

The balances above include earned interest and reflect reductions for the payment of attorneys' fees, expenses, and incentive awards approved by the Court.

10. Administrative Fees and Expenses. Pursuant to the Defendants' Settlement Agreements, up to a total of \$752,214.18 in the Tecumseh, Danfoss, and Embraco escrow accounts are available to pay administration costs and expenses. GCG anticipates that administrative fees and expenses, including publication of notice, direct mail of notice, class

1 member communications, the deficiency and audit process, bank fees, and the award distribution,  
2 will be \$269,850.

3 11. Net Settlement Fund. Taking into account the fees paid and adjustments to the  
4 Settlement Fund described above, the total amount available for distribution to claimants at this  
5 time (the “Net Settlement Fund”) is \$20,842,260.52, including earned interest. The Net  
6 Settlement Fund is in accordance with the Plan of Allocation approved by the Court, and in  
7 consultation with Settlement Class Counsel.

8 12. Recommended Allocations. GCG has calculated awards in accordance with the  
9 Plan of Allocation. GCG has included all claims approved in the review process including late  
10 claims. The high, low, and average award amounts are \$4,696,247.37, \$33.14, and \$251,111.57,  
11 respectively. Using the purchase data as provided by the defendants and confirmed by the  
12 claimants, the rate of return on purchase amounts is approximately 3.74%. Attached as **Exhibit**  
13 **A** is a chart showing information about each claimant’s purchases and GCG’s application of pro  
14 rata awards pursuant to the Plan of Allocation. The chart identifies each claimant by claim  
15 number and provides the amounts in U.S. Dollars of their approved purchases. It also notes  
16 whether the claim was received after the claims deadline.

17 13. Upon Court approval of the above, GCG is prepared to commence distribution for  
18 the Settlements in accordance with the calculations noted above and the Plan of Allocation.

19 I declare under penalty of perjury pursuant to the laws of the United States of America  
20 that the foregoing is true and correct.

21 Executed on this 8th day of March, 2017, at Seattle, Washington.

22  
23   
24 LORI L. CASTANEDA

# Exhibit A



Timely	Unique ID	Embraco Claim	Danfoss Claim	Panasonic Claim	Tecumseh Claim	Total Award
Yes	1000278	\$79,427,949.00	\$79,427,949.00	\$79,427,949.00	\$79,427,949.00	\$4,696,247.37
Yes	1000081	\$46,193,663.00	\$46,193,663.00	\$46,193,663.00	\$46,193,663.00	\$2,731,240.97
Yes	1000259	\$40,521,141.00	\$40,521,141.00	\$40,521,141.00	\$40,521,141.00	\$2,395,848.12
Yes	1000126	\$0.00	\$0.00	\$0.00	\$223,770,085.00	\$1,950,220.49
Yes	1000104	\$27,067,619.00	\$27,067,619.00	\$27,067,619.00	\$27,067,619.00	\$1,600,396.80
Yes	2000052	\$22,041,537.22	\$22,041,537.22	\$22,041,537.22	\$22,041,537.22	\$1,303,225.29
Yes	3000006	\$17,077,487.00	\$17,077,487.00	\$17,077,487.00	\$17,077,487.00	\$1,009,721.45
Yes	1000280	\$10,804,297.40	\$10,804,297.40	\$10,804,297.40	\$10,804,297.40	\$638,813.58
Yes	2000189	\$8,657,571.00	\$8,657,571.00	\$8,657,571.00	\$8,657,571.00	\$511,886.51
Yes	2000178	\$8,308,336.20	\$8,308,336.20	\$8,308,336.20	\$8,308,336.20	\$491,237.68
Yes	73	\$7,452,431.00	\$7,452,431.00	\$7,452,431.00	\$7,452,431.00	\$440,631.54
Yes	1000136	\$6,896,095.00	\$6,896,095.00	\$6,896,095.00	\$6,896,095.00	\$407,737.69
Yes	1000289	\$4,445,350.00	\$4,445,350.00	\$4,445,350.00	\$4,445,350.00	\$262,835.24
Yes	2000108	\$3,956,078.60	\$3,956,078.60	\$3,956,078.60	\$3,956,078.60	\$233,906.64
Yes	1000703	\$2,972,084.67	\$2,972,084.67	\$2,972,084.67	\$2,972,084.67	\$175,727.12
Yes	2000246	\$2,964,634.00	\$2,964,634.00	\$2,964,634.00	\$2,964,634.00	\$175,286.60
Yes	2000094	\$2,682,257.00	\$2,682,257.00	\$2,682,257.00	\$2,682,257.00	\$158,590.81
Yes	72	\$2,298,127.40	\$2,298,127.40	\$2,298,127.40	\$2,298,127.40	\$135,878.80
Yes	1000103	\$0.00	\$0.00	\$0.00	\$14,949,508.00	\$130,289.25
Yes	1000203	\$2,069,777.21	\$2,069,777.21	\$2,069,777.21	\$2,069,777.21	\$122,377.39
Yes	1000171	\$1,966,303.00	\$1,966,303.00	\$1,966,303.00	\$1,966,303.00	\$116,259.39
Yes	1000291	\$1,716,549.07	\$1,716,549.07	\$1,716,549.07	\$1,716,549.07	\$101,492.48
Yes	1000742	\$1,549,702.39	\$1,549,702.39	\$1,549,702.39	\$1,549,702.39	\$91,627.51
Yes	1000112	\$1,465,772.92	\$1,465,772.92	\$1,465,772.92	\$1,465,772.92	\$86,665.11
Yes	1000239	\$1,044,089.73	\$1,044,089.73	\$1,044,089.73	\$1,044,089.73	\$61,732.72
Yes	2000164	\$915,729.01	\$915,729.01	\$915,729.01	\$915,729.01	\$54,143.28
Yes	1000334	\$883,296.00	\$883,296.00	\$883,296.00	\$883,296.00	\$52,225.65
Yes	3000001	\$796,739.00	\$796,739.00	\$796,739.00	\$796,739.00	\$47,107.90
Yes	1000473	\$705,914.07	\$705,914.07	\$705,914.07	\$705,914.07	\$41,737.78
Yes	1000199	\$682,087.73	\$682,087.73	\$682,087.73	\$682,087.73	\$40,329.04
Yes	1000482	\$602,501.00	\$602,501.00	\$602,501.00	\$602,501.00	\$35,623.41
Yes	2000139	\$601,905.00	\$601,905.00	\$601,905.00	\$601,905.00	\$35,588.16
Yes	1000751	\$588,643.00	\$588,643.00	\$588,643.00	\$588,643.00	\$34,804.04
Yes	1000405	\$586,105.00	\$586,105.00	\$586,105.00	\$586,105.00	\$34,653.97
Yes	2000238	\$572,703.70	\$572,703.70	\$572,703.70	\$572,703.70	\$33,861.61
Yes	2000105	\$562,507.30	\$562,507.30	\$562,507.30	\$562,507.30	\$33,258.74
Yes	1000246	\$524,176.00	\$524,176.00	\$524,176.00	\$524,176.00	\$30,992.36
Yes	2000120	\$516,495.92	\$516,495.92	\$516,495.92	\$516,495.92	\$30,538.27
Yes	1000133	\$483,303.63	\$483,303.63	\$483,303.63	\$483,303.63	\$28,575.75
Yes	1000140	\$464,627.00	\$464,627.00	\$464,627.00	\$464,627.00	\$27,471.49
Yes	1000290	\$395,512.00	\$395,512.00	\$395,512.00	\$395,512.00	\$23,384.99
Yes	2000223	\$330,081.53	\$330,081.53	\$330,081.53	\$330,081.53	\$19,516.37
Yes	1000311	\$326,752.11	\$326,752.11	\$326,752.11	\$326,752.11	\$19,319.51
Yes	29	\$287,919.67	\$287,919.67	\$287,919.67	\$287,919.67	\$17,023.50
Yes	1000692	\$272,777.56	\$272,777.56	\$272,777.56	\$272,777.56	\$16,128.21
Yes	75	\$257,399.13	\$257,399.13	\$257,399.13	\$257,399.13	\$15,218.95

Yes	2000109	\$241,856.90	\$241,856.90	\$241,856.90	\$241,856.90	\$14,300.00
Yes	1000395	\$237,421.80	\$237,421.80	\$237,421.80	\$237,421.80	\$14,037.77
Yes	1000599	\$236,104.09	\$236,104.09	\$236,104.09	\$236,104.09	\$13,959.85
Yes	2000137	\$194,022.96	\$194,022.96	\$194,022.96	\$194,022.96	\$11,471.79
Yes	1000722	\$162,207.57	\$162,207.57	\$162,207.57	\$162,207.57	\$9,590.67
Yes	1000487	\$103,611.00	\$103,611.00	\$103,611.00	\$103,611.00	\$6,126.09
Yes	1000096	\$92,019.00	\$92,019.00	\$92,019.00	\$92,019.00	\$5,440.70
Yes	1000115	\$82,186.15	\$82,186.15	\$82,186.15	\$82,186.15	\$4,859.34
Yes	1000647	\$79,961.81	\$79,961.81	\$79,961.81	\$79,961.81	\$4,727.82
Yes	1000032	\$76,380.00	\$76,380.00	\$76,380.00	\$76,380.00	\$4,516.03
No	2000042	\$74,334.10	\$74,334.10	\$74,334.10	\$74,334.10	\$4,395.07
No	1000517	\$73,431.56	\$73,431.56	\$73,431.56	\$73,431.56	\$4,341.71
Yes	1000283	\$73,213.00	\$73,213.00	\$73,213.00	\$73,213.00	\$4,328.78
Yes	1000436	\$71,968.74	\$71,968.74	\$71,968.74	\$71,968.74	\$4,255.22
Yes	1000708	\$61,411.67	\$61,411.67	\$61,411.67	\$61,411.67	\$3,631.02
Yes	1000542	\$45,263.19	\$45,263.19	\$45,263.19	\$45,263.19	\$2,676.22
Yes	1000581	\$44,734.50	\$44,734.50	\$44,734.50	\$44,734.50	\$2,644.96
Yes	1000607	\$43,120.00	\$43,120.00	\$43,120.00	\$43,120.00	\$2,549.51
Yes	2000198	\$41,569.42	\$41,569.42	\$41,569.42	\$41,569.42	\$2,457.83
Yes	1000182	\$40,854.00	\$40,854.00	\$40,854.00	\$40,854.00	\$2,415.52
Yes	1000624	\$39,409.13	\$39,409.13	\$39,409.13	\$39,409.13	\$2,330.10
Yes	1000513	\$38,684.20	\$38,684.20	\$38,684.20	\$38,684.20	\$2,287.23
Yes	1000616	\$36,221.29	\$36,221.29	\$36,221.29	\$36,221.29	\$2,141.62
Yes	1000271	\$34,910.00	\$34,910.00	\$34,910.00	\$34,910.00	\$2,064.08
Yes	1000003	\$31,806.00	\$31,806.00	\$31,806.00	\$31,806.00	\$1,880.56
Yes	1000415	\$20,892.67	\$20,892.67	\$20,892.67	\$20,892.67	\$1,235.30
Yes	2000142	\$18,986.70	\$18,986.70	\$18,986.70	\$18,986.70	\$1,122.60
Yes	1000245	\$17,201.00	\$17,201.00	\$17,201.00	\$17,201.00	\$1,017.02
Yes	2000048	\$14,683.49	\$14,683.49	\$14,683.49	\$14,683.49	\$868.17
Yes	1000188	\$14,304.00	\$14,304.00	\$14,304.00	\$14,304.00	\$845.74
No	1000417	\$10,307.82	\$10,307.82	\$10,307.82	\$10,307.82	\$609.47
Yes	1000255	\$10,064.00	\$10,064.00	\$10,064.00	\$10,064.00	\$595.04
Yes	105	\$9,616.00	\$9,616.00	\$9,616.00	\$9,616.00	\$568.55
Yes	1000470	\$4,791.78	\$4,791.78	\$4,791.78	\$4,791.78	\$283.32
Yes	1000427	\$2,449.45	\$2,449.45	\$2,449.45	\$2,449.45	\$144.83
Yes	1000512	\$2,170.00	\$2,170.00	\$2,170.00	\$2,170.00	\$128.30
No	1000739	\$560.44	\$560.44	\$560.44	\$560.44	\$33.14